

amended claims, in accordance with M.P.E.P. § 900, which says, in part, that the prior art search should be conducted by the examiner after obtaining a thorough understanding of the invention disclosed and claimed, including the inventive concepts toward which the claims appear to be directed. All features now recited in the pending amended claims were disclosed in the application as filed and discussed in the Remarks section accompanying the prior Amendment. Therefore, in accordance with M.P.E.P. § 900, all elements of the currently amended claims have been searched and considered, and thus, this amendment does not raise new issues for consideration.

Applicant further contends that the examiner failed to completely examine the present application, initially, when preparing the first office action. This is evidenced by claims not addressed in the first office action, namely claims 15-26. Further, Applicant contends the examiner failed to address all materials traversed in the previously presented amendment filed September 24, 2004.

Based on the incompleteness of the first office action, the applicant has been placed in a disadvantageous position by the examiner subsequently issuing a final office action and not allowing applicant to adequately define or explain the advantages of the present invention in light of the distinctions over the prior art cited.

As noted in MPEP 707.07(g), the examiner should reject each claim on all valid grounds available. As seen in the first office action, the examiner failed to address claims 15-26 of applicant's application suggesting that the examiner conducted a "piecemeal examination", of the application. In a final office action, the examiner bulked claims 15-26 together, and used a previously recited prior art reference against the applicant without stating, with a full development of reasons, the proper technical rejection of such claims.

As also noted in MPEP 707.07(f), an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an

application. Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it. In addition, if it is the examiner's considered opinion that the asserted advantages are not sufficient to overcome the rejection(s) of record, he or she should state the reasons for his or her position in the record. Furthermore, in accordance with 37 C.F.R. §§ 1.104 (a)(2) and (c)(2), the examiner is to state the reason a claim is rejected, and properly identify each particular part in the prior art reference upon which the examiner relied in rejecting a claimed element.

For the foregoing reasons, Applicant respectfully requests that the finality of the outstanding office action be withdrawn.